

# THE DAILY COMMONWEALTH.

VOL. 3.

FRANKFORT, KENTUCKY, FEBRUARY 18, 1847.

NO. 42.

PRINTED AND PUBLISHED BY  
A. G. HODGES, Thos. J. Todd, John W. Finnell & John W. Finnell,  
UNDER THE FIRM OF  
**A. G. HODGES & CO.**  
J. W. FINNELL, EDITOR.

TERMS OF SUBSCRIPTION:  
For the "DAILY COMMONWEALTH," during the Session of the Legislature, \$1 in advance.  
The "WEEKLY COMMONWEALTH," printed on a large broadsheet, will be sent to subscribers at \$2, in advance, or \$2.50 at the expiration of six months.  
The "WEEKLY COMMONWEALTH" will be furnished to subscribers during the Session of the Legislature, for 50 cents in advance.  
TERMS OF ADVERTISING:  
For 10 lines or less, to those who are Daily Subscribers during the Session of the Legislature, \$1.00 per line.  
For 10 lines, for a single insertion, 50 cents.  
For each insertion of the same advertisement, after the first, 10 lines or less, 50 cents.  
For any number of lines over 10 and not exceeding 20, 1 insertion, 1.00.  
For each insertion of the same advertisement, over 10 and not exceeding 20 lines, 1.00.  
Longer advertisements will be inserted on liberal terms.

## General Advertisements.

### Kentucky Military Institute.

This Institution, created by an Act of the General Assembly, will be opened for the reception of Pupils, on the 1st of March, 1847, under the immediate direction and entire control of a

#### Board of Visitors.

Appointed by the Executive of the Commonwealth. It contemplates a Military Organization for Literary and Scientific purposes; an education eminently scientific and practical; the formation of a corps of officers, and the diffusion of a knowledge of Military Science.

Military duties will not be permitted to interfere with the pupils' progress in the sciences, and will take the place of his unprofitable, and often, vicious play.

The course of study adopted, and which will be required in order to graduation, is that usually taught in the best Colleges, except that our language is required, (Latin or French), the time usually occupied by the second, being devoted to a more extended course in Mathematics, Natural Science and English Literature.

A Preparatory Department is organized in connection with the Institute, in which boys of any age are taken, and are subjected to the same Military discipline as the Pupils of the Institute. The position of the Institute, at the Franklin Springs, near Frankfort, Kentucky, (recently occupied by the Franklin Institute), is admirably adapted in every respect to Academic purposes; the locality being airy and healthy; the mineral waters salutary; the buildings elegant, extensive and commodious; and entirely apart from the contamination and multiplied influences of the city, and the noise of the village.

The Institution is placed under the charge of Col. R. T. P. ALLEN, an experienced, who has been brought prominently before the public, as a competent and successful teacher and governor of youth, by his honorable graduation at the United States Military Academy; his subsequent connection with the Army, and with the Engineering Service of the General Government, as Superintendent of the Ordnance Department, and as an Instructor, by his recent connection with the Transylvania University.

The Academic Year will be divided into two Sessions of twenty-one weeks each.

The first commencing on the 1st Monday in October, and the second on the 1st Monday in March. The only vacation occupying the months of August and September.

The month of July will be spent in an excursion through the State, for the better study of its Geology and of Natural Science generally.

Applicants for admission, on paying the charge of the Institute, and presenting a certificate of good moral character, will be admitted into the classes as their advancement may justify, and on satisfactory progress the next examination thereafter, will be entitled to a warrant of appointment, as Cadet, from the Governor. The uniform of the Cadets is plain and neat, and being of Kentucky Jeans, will greatly reduce the expense of their clothing.

**OFFICERS OF THE INSTITUTE.**  
His Excellency, the Governor of Kentucky, Inspector, (ex-officio).

**BOARD OF VISITORS.**  
Gen. Peter Dudley, President of the Board and Adjutant Gen., (ex-officio).

Hon. Henry Clay, Ashland.  
Hon. J. J. Crittenden, Frankfort.  
Hon. John T. P. Allen, Frankfort.  
Hon. David Thomson, Woodford County.  
Hon. John T. P. Allen, Frankfort.  
Hon. John T. P. Allen, Frankfort.

**ACADEMIC STAFF.**  
Col. R. T. P. ALLEN, A. M., Superintendent and Professor of Mathematics and Civil Engineering.  
Lieut. Col. F. A. HALL, A. M., Professor of Ancient Languages and Belles Lettres.  
Maj. M. S. HARRISON, A. M., Professor of Modern Languages and Natural Science.  
Jacob T. Deussen, M. D., Surgeon and Professor of Anatomy and Physiology.  
Maj. R. N. ALLEN, Professor of Elementary Science—Preparatory Department.

Capt. Thomas O. Anderson, Assistant Instructor of Tactics.

**TERMS.**  
Institute charge per year of ten months—for Board, Tuition, Lights, Fuel, Washing and Medical attendance, (payable half yearly in advance), \$100.00  
Change in the Preparatory Department, for same, (payable half yearly in advance), 120.00  
Greek, German and Spanish Languages, (extra) each, (payable half yearly in advance), 10.00  
By order of the Board of Visitors,  
P. FINNELL, Adj. Gen. and President of the Board.  
Franklin county, Ky., February 9, 1847—7481

### GILLISPIE & HEFFNER,

South side Main Street, Frankfort, Ky.

THE subscribers still continue to carry on the above business in all its various branches at their old and well known stand, and are prepared to furnish those who may favor them with their patronage, with the cheapest and most fashionable styles of CLOTHS, CASSIMERES, VESTINGS, &c., &c.

Their stock of Goods are all purchased this fall by one of the firm, and they are of the latest and most fashionable styles, in taste, taste, style, or fashion, by any other assortment of Goods in the town.

They solicit patronage, and will endeavor to merit it by strict attention to their business.

We are also Agents for the sale of Mathews & Klowland's splendid System of Garment Cutting.

For a description of every description in their line, cut to order, and with the least possible delay.

October 20, 1846—722-1

### Frankfort Female Seminary,

UNDER THE CHARGE OF MR. & MRS. NOLD.

THE next Session will commence on the first Monday of February next.

Terms, per Session of 20 weeks.  
(One half to be paid in advance.)

English branches, \$12, \$15, and \$20.00  
Music, 10.00  
French, Drawing and Painting, each, 10.00  
Boarding, 50.00

Refer to: Gov. Wm. Owsley, Rev. J. J. Bullock, Hon. John W. Finnell, Esq., Col. James Davidson, Judge J. M. Hewitt, Ex-Gov. T. Metcalf, L. Broadhead, Esq., January 1, 1847.

**SUNDRIES.**  
5 HALF BBLs. GOLDEN SYRUP;  
3 half do. New York do.;  
5 hds. No. 1, New Orleans Sugar;  
2 do. No. 2, New Orleans Sugar; just received and for sale by  
February 13, 1847

**Wanted.**  
A LARGE lot of COOPER'S STOCK, such as PORK BARREL STAVES and HEADS, WHISKY BARRELS, FLOUR BARRELS, LARD KEGS and HOGHEADS, &c., &c., fourth heading in all cases; timber to be of the best white or burr Oak. Also a quantity of HOOP POLES, to be furnished next season, for which the highest price will be paid in cash and Penitentiary articles, when the above stock is delivered at the Kentucky Penitentiary. Bills will be furnished on application, giving a description of each variety. The public are hereby notified, that from the first of next September we will be prepared to furnish every variety of Barrels, Kegs, &c., at the lowest cash prices.

January 5, 1847

## Frankfort Advertisements.

### "THE KENTUCKY JUSTICE."

A GUIDE TO

JUSTICES, CLERKS, SHERIFFS, &c.

CONTAINING

The office and authority of Justices of the Peace; the duties of Clerks, Sheriffs, Constables, Jailers, Coroners and Escheators, in the State of Kentucky, whether arising under the Common or Statute Law of the State, or of the Laws of the United States.

TO WHICH IS ADDED,

AN APPENDIX,

Containing approved forms for Deeds of Bargain and Sale, Leases, Mortgages, Bills of Sale, Powers of Attorney, &c.

This branch of the work in relation to Justices of the Peace, being a fourth edition of the "Kentucky Justice," by JACOB SWIGERT, Esq., revised and amended by JOHN C. HENDON.

This work is now ready for delivery at the counting room of the Commonwealth office, and at Todd's Bookstore. Price, \$3.50 per copy.

Jan. 21, 1847—741-1

JOHN C. HENDON.

### BOOK BINDING,

IN ALL ITS VARIOUS BRANCHES!

THE undersigned having purchased of Mr. A. C. KERNON his BOOK BINDERY, and made an arrangement with Mr. WALKER H. ROSSON to superintend and conduct the same, respectfully solicits a continuance of the patronage heretofore extended to Mr. Kernon.

CLERKS will be furnished with RECORD BOOKS, ruled in any pattern, and of the very best quality of paper.

BLANK BOOKS, of every description, manufactured at short notice, on reasonable terms.

Orders left at the Bindery, over Harlan & Craddock's Law Office, or at The Commonwealth Printing Office, will be thankfully received, and promptly executed.

Frankfort, Nov. 10, 1846—735-1

A. G. HODGES.

### Bargains in Dry Goods!

BACHELOR & ROBERTSON,

HAVING purchased the Stock in trade of Mr. H. H. Honore, and being desirous of reducing their Stock as much as possible, the locality being airy and healthy, the mineral waters salutary; the buildings elegant, extensive and commodious; and entirely apart from the contamination and multiplied influences of the city, and the noise of the village.

We have on hand a fine assortment of PRINTS and LADIES' PANCY DRESS GOODS; for Gentlemen's Wear, Hats, Caps, Boots, and Shoes, of the latest styles, and at reduced prices.

All the above Goods will be sold low for cash, or to approved customers on the usual credit.

Persons in want of such articles, would do well to call and examine, as we are determined to offer great inducements. Yeoman copy.

Frankfort, Jan. 22, 1847

### DENTAL SURGERY.

DR. WILLIAM H. DAVIS,

Resident Dentist, Frankfort, Kentucky.

I HAVE this day associated with me in the practice of DENTAL SURGERY, DR. A. G. MAJOR. The business will hereafter be conducted under the style of

DAVIS & MAJOR.

TEETH from OXYGEN ACID SET, inserted in a superior style, with or without ARTIFICIAL GUMS, and warranted to answer the purposes of mastication.

Every operation in DENTAL SURGERY performed in a careful and satisfactory manner.

Reference is made to the following gentlemen, viz.

Hon. P. P. Letcher, John W. Russell, Esq.,  
Hon. J. H. Hanna, Esq., O. G. Gates, Esq.,  
Hon. J. J. Crittenden, Esq., Col. E. H. Taylor,  
Hon. S. Morehead, Esq., Dr. C. G. Pythian.

Dr. E. H. Watson.

Charges moderate. Office at the corner of Main and Ann streets, over Dr. Critcher's Drug Store.

January 27, 1847-1

### TAYLOR & KENNAN,

AUCTION, JOBBER AND COMMISSION MERCHANTS.

No. 1, East side of St. Clair Street, Frankfort, Ky.

REGULAR AUCTION SALES OF DRY GOODS, every MONDAY AND SATURDAY, at 10 o'clock A. M., and every TUESDAY AND FRIDAY NIGHT, at 8 o'clock P. M., throughout the year, and such other times as may be necessary to close consignments, of which due notice will be given.

Private Sales of DRY GOODS, &c., at all times.

January 1, 1847

### Musical Notice.

THE undersigned, proposes to the Ladies of Frankfort and vicinity, to give instructions on the PIANO FORTE, HARP and GUITAR, and in SINGING. To those families who may honor him with their patronage, he begs to say, that he will spare no pains to impart to his pupils sound Musical knowledge, and to enable them to perform with confidence.

He has numerous testimonials from persons of standing in Vicksburg, Mississippi, where he taught four years; and from Richmond, in this State, where he has been teaching. For his qualifications as a Teacher, he will also refer to Mr. Paul Schmidt, of Lexington, (long and favorably known in this State as a Teacher), and also to Dr. Lloyd, of this place.

His MUSIC ROOM, is on Broadway, adjoining to Colonel Hodges', and to Miss Brown's School Room. He has selected this location for the convenience of his Pupils in Miss Brown's and Mrs. Russell's Academies.

His terms will be (as customary) \$25 per session of 20 weeks, where the lessons are taken at his Music Room—or \$16 per quarter of 12 weeks, if given at the residence of the pupil.

WILLIAM P. STRIBY.

The Pianos belonging to his pupils he will keep in tune without any extra charge.

LEXINGTON, Jan. 20, 1847.

I have known Mr. Striby for the last six years, three of which I have taught in conjunction with him in the South, and have no hesitation to recommend him to my friends and acquaintances, not only as a competent and successful teacher, but also as a Teacher who is inferior to none in this country.

By his gentlemanly deportment and assiduity in teaching, with the rapid improvement of his pupils, he has given every where satisfaction. The undersigned, therefore, feels a confidence in recommending him as a gentleman well worthy of patronage.

PAUL SCHMIDT,  
Teacher of Music.

### FRANKFORT CEMETERY.

THE Company regret to state, that owing to the trespasses committed in putting fruit barrels and fruit, breaking shrubbery, walking on the borders and resting on the rails of the enclosures, on SUNDAYS, they are compelled to close the gates on each Sabbath, and that no admittance can be obtained on that day. While they most earnestly request every sister to abstain from walking on the borders, or touching any flower or shrub or fruit, they pledge themselves to prosecute (for the heavy penalties imposed by the charter), any person who may commit the slightest trespass. The grounds are now being improved at a very large expense, for the comfort and ornament of our town, and we ask the aid of our citizens, both old and young, in refraining from the slightest act which may be an example for others to commit, any trespass whatever.

Persons can visit the grounds during the work in carriages or on foot, but no one can be admitted on horseback. Horses can be tied at Mr. Page's residence on the hill.

June 16, 1846—714-1

### DR. LLOYD'S

DRUG AND CHEMICAL STORE,

AT THE OLD STAND ON MAIN STREET, FRANKFORT.

Constantly on hand, (at Wholesale and Retail), a full stock of

DRUGS, CHEMICALS, MEDICINES, Surgical Instruments, Patent Medicines, &c.

GLASS FURNITURE, PAINTS, VARNISHES, DYES, &c., &c. The purity and goodness of every article warranted.

January 1, 1847

### Painted Buckets, &c.

6 Dozen Painted Buckets; just received and for sale by

Dec. 22, 1846—741-1

TODD & CRITTENDEN

### American Almanac for 1847.

THE American Almanac and Repository of Useful Knowledge, for 1847.

Also, Kentucky Farmer's Almanac and Western Farmer's Almanac for 1847, by the single copy or dozen, for sale at

January 6, 1847

TODD'S BOOKSTORE.

SPERM CANDLES.—20 boxes New Bedford SPERM CANDLES, just received and for sale by

December 29, 1846—7

TODD & CRITTENDEN

## Frankfort Advertisements.

### Bargains! Bargains!! Bargains!!!

B. F. JOHNSON & Co.

BEING desirous of clearing their stock of Merchandise as low as possible, previous to making their Spring importation, have determined to offer great bargains in Prints and Fancy Goods of all descriptions. Persons wishing to purchase such articles, would do well to call and examine.

We have on hand a small lot of Gentlemen's Russia, Beaver and Mole skin Hats, which we will close out at reduced prices.

Frankfort, Jan. 14, 1847

### SECOND IMPORTATION

Of Fall and Winter Dry Goods.

G. S. & L. M. BACON,

ARE now receiving direct from New York and Philadelphia, a rare and beautiful assortment of FANCY GOODS for Ladies and Gentlemen's wear, which were selected with great care and taste by the junior partner, who has just returned from the East. We feel assured that persons would do well to call and examine our stock, which we will close out at reduced prices. Our assortment is general and complete, and would compare with any in the West. Our late arrivals consist, in part, of the following articles, to-wit:

Rich Brocade and Spun Silks;

Paris Cashmeres;

Twisted Ginghams;

Brussels Lace and Ombra Muslin Robes;

Embossed and Embroidered Tartan Robes;

Rich Paris Made Cashmere Shawls;

Blue, Orange, and Scarlet Cape Scarfs;

Paris Capes, and French Worked Collars;

Plain and Embroidered Velvet Ribbons;

Plain and Shaded Bayonet Ribbons; a handsome assortment;

A handsome assortment of French Flowers;

A beautiful lot of Bonnet Feathers;

A general assortment of French and English Cloths, Cassimers and Vestings;

Gentlemen's Scarfs and Cravats;

Also, Hats, Caps, Shoes, Boots, &c., &c. &c.

We will trade for a good stock of HEMP.

Frankfort, Ky., Dec. 1, 1846—728-1

### NEW GOODS.

No. 14, Main Street, Frankfort, Kentucky.

JOHN L. MOORE.

IS now in receipt of a very large and handsome stock of rich new style Staple and Fancy Fall and Winter Goods, selected by himself in the Eastern cities, with direct reference to the Tariff, (of course low). He thanks his customers for the very liberal patronage heretofore given him, and solicits a continuance. Country goods taken and best prices given.

September 29, 1846—739-1

### ANOTHER ARRIVAL

AT THE

GREAT WESTERN CLOTHING STORE.

The best bargains ever offered in this Market.

THE LARGEST STOCK OF READY-MADE CLOTHING EVER BROUGHT TO FRANKFORT.

SOLOMON WEILER.

At the Great Western Fashionable Clothing Store, No. 3, Brown's building, and one door below the Commonwealth Office, St. Clair Street, Frankfort, Ky., he has just received another arrival of very superior Clothing of the latest style, and made of very superior

Plaid, Striped, and all the latest styles, and was manufactured into garments under the supervision of an experienced Tailor, so that he is able to better than any other in the city, to suit the taste and measure of his customers. He wishes to make rapid sales and is willing to sell at a very small profit, believing that "a nimble six pence is better than a slow dollar." He will sell

Cloaks, alabaster, at from \$13 to \$5.

Coats, Frock and Dress, (French Cloth) from \$8 to \$25.

Beaver Cloth Coats, (superior) from \$10 to \$18.

Pilot Cloth Coats, (superior) from \$6.50 to \$8.50.

Blanket Coats, from \$3.25 to \$13.

French Cassimere Buckskin Coats, from \$7.50 to \$12.

Brevel Cassimere Coats, from \$6 to \$7.

James Coats, from \$3.50 to \$4.50.

Cassimere Coats, from \$8 to \$9.

A great variety of Sack Coats, from \$6 to \$16.

A beautiful assortment of Vests, all patterns, from 90 cts. to \$8.

Pantaloons of all sizes and patterns, from 10 cts. to \$8.50.

Linon Shirts of very excellent quality, from 60 cts. to \$3.

Hats and Caps of latest style, from 60 cts. to \$1.

Drawers and under Shirts, Cravats, Gloves, Fancy Scarfs, Handkerchiefs, &c., &c., of every quality, very low.

A large stock of superior TRAVELING TRUNKS, a complete article.

The above articles were purchased for this market expressly. Natives, Foreigners, citizens and strangers, Judges and Legislators, all are invited to call and examine this splendid stock before they purchase elsewhere.

Frankfort, Ky., November 24, 1846—757-1

### SUPERIOR HAVANA CIGARS.

100,000 VERY superior CIGARS, (best brands) just received at a low sale, at

WEILER'S GREAT WESTERN CLOTHING STORE.

Nov. 24, 1846—727

### DISSOLUTION OF PARTNERSHIP.

THE partnership heretofore existing between the undersigned, is this day dissolved by mutual consent. All persons having claims against the firm of S. WEILER & BROTHER, will please present them for payment to the undersigned, as earnestly requested to call and settle immediately.

SOL. WEILER,  
SAM. WEILER.

Nov. 24, 1846—727

### NEW ESTABLISHMENT.

FASHIONABLE BOOT AND SHOE MAKER.

JACOB PIPER.

RETURNS his thanks to his friends and patrons for the liberal share of patronage they have heretofore extended to him, and still invites them to continue their favors. His Shop is on St. Clair Street, one door below the "Great Western Clothing Store," where he will be pleased to attend to all orders in his line. He has furnished himself with the most improved machinery, and is prepared to do as good as any made in the East or West. He solicits patronage, and will be thankful for small favors.

Frankfort, Ky., Sept. 15, 1846—704-1

### NEW LIVERY STABLE.

HENRY GILTNER

RESPECTFULLY announces to his friends and the public generally, that he has completed his large new stable on the site the Mansion House, and is ready to furnish all who may favor him with a call, with first rate Riding Horses, Buggies and Hacks, on the most reasonable terms.

He has lately purchased a fine new six passenger Coach, which can be had at all hours of the day or night, with a careful driver.

Horses gaited, pricked, nicked, &c., on very moderate terms. Horses kept by the day, week, month or year.

A portion of the public patronage is respectfully solicited.

Frankfort, Sept. 29, 1846—676-1

### TONSorial INSTITUTE.

HENRY SAMUEL.

BARBER AND HAIR DRESSER.

(A FEW FEET ABOVE THE COMMONLY KNOWN PRINTING OFFICE.)

RETURNS his grateful thanks to all those who have honored him with their patronage, and pledges himself, by strict attention to his business, to continue to answer the public favor.

He continues to keep constantly on hand many useful and fancy articles for GENTLEMEN'S WEAR, which he will sell on reasonable terms.



# THE DAILY COMMONWEALTH.

THURSDAY.....FEBRUARY 18, 1847.

## KENTUCKY LEGISLATURE.

### IN SENATE.

#### TUESDAY'S PROCEEDINGS CONTINUED.

The resolution of the committee on Executive Affairs being still before the Senate,

Mr. BOYD said he had no disposition to trespass on the patience of the Senate, but he had a duty to discharge to the country and to himself; he asked the indulgence of the Senate while he should present some of the reasons for the vote which he should give on the resolution.

Mr. B. commenced by remarking on the peculiar character of our government—the great excellency of which consists in the division of the three great departments, Executive, Legislative and Judicial.—The framers of our constitution had wisely distributed the powers and used proper caution in declaring that no one department should exercise any of the powers granted to another. The supreme Executive power was lodged with the Governor. What, said Mr. B., did the constitution mean by saying that the supreme Executive power should be vested in a Chief Magistrate to be styled the Governor, &c! It was not as the committee contended, merely to designate the name of the head of the Executive department. It meant to vest exclusively, the supreme power of the Commonwealth in the Governor. Look at the circumstances under which our constitution was framed. It was made a few years after the adoption of the Federal constitution. That instrument was before our fathers when they were framing the constitution of this State, and they had copied it closely. It was, for the most part identical even in language with the Federal constitution. The latter had given to the President, supreme Executive power, in which, was embraced the power to appoint, change and remove public officers. In the establishment of the offices of the Executive department, the constitution had been construed to give to the President the power of removal, and the constitution of Kentucky had been framed with a view to that construction. Mr. B. denied that the President derived the power of removal from legal enactment, and quoted from a history of the proceedings of the first Congress, and from Gen. Jackson's protest in support of the position that the constitution gave this power to the President—that it had been so settled at an early period in the history of the Government, and ever since acquiesced in.—Mr. B. then contended that the Governor of Kentucky derived his powers from similar constitutional provisions, and that if the Federal constitution gave to President the power of removal—the constitution of Kentucky conferred the same power on the Governor. Mr. B. denied the construction assumed by the committee, that the enumeration of the Executive powers in the constitution, that it was intended to restrict the Governor to the exercise of those powers alone, and made a detailed comparison of the portions of the constitutions of the United States and Kentucky, which enumerate the powers of the Executive, and which he asserted, were almost identical. If then, he asked, this enumeration restricts the Governor, why not also the President to those powers alone! There is no more authority for the President than for the Governor, to exercise the power of removal, and yet it is well established and universally conceded, that the President has that power. They both derive the power of removal from the Executive power vested in them, and the necessary implication, the authority to use all incidental means necessary to the exercise of that power. Mr. B. contended that the enumeration of powers were only imperative directions to do particular acts. A great many other powers were left discretionary with the Executive to exercise or not—but those enumerated, he was imperatively required to exercise. The language employed, proved this, he said do this and that.

The committee say that the only mode of removal is by impeachment. The Federal Constitution also provides for impeachment, and yet the President has the power of removal without impeachment. It was said that if the Governor could remove the Secretary there would be no limit to his authority.—His power in this respect is limited to the Executive department. The Executive is an unit—the Executive head is responsible for all the acts of his subordinate officers. The Governor is looked to, by the people, for the manner in which the duties of the Executive department are discharged, and he could not get along without the power of removing his subordinates. He has the power to select his Secretary, and it would be strange indeed, if the Secretary, by his refusal to act, could stop the wheels of government and the Governor had no power to remove him. It is the duty of the Governor to see that the laws are faithfully executed, and this he could not do without this power.

Mr. B. said he had examined the reports of the committee, and investigated the whole subject as well as he could, and had fully made up his mind that the Governor has the right to remove any of the officers of the Executive department, or to judge of existing vacancies in office.

He denied the authority of the Senate to inquire into the existence of a vacancy, and contended that the Senate could only advise and consent or advise and disagree to nominations sent in by the Executive, and for this purpose could inquire merely into the personal qualifications of the nominee. He believed the office of Secretary had become vacant by the acts of the incumbent. It was contended that the common law was not in force here, because we have a written constitution, but, that common law was recognized by the constitution itself. All officers are created for the public good, and when an officer neglects or refuses to discharge his duties, his office becomes vacant by operation of law. Mr. B. quoted from 1st Coke as authority for this position. In the present case there was a refusal to discharge the duties of the office of Secretary. Mr. B. said he had no feeling against Mr. Hardin—on the contrary, he respected him very highly. The office was unsuited to his taste, and not adapted to his capacity—he had frequently filled higher offices—this could add nothing to his fame—his brow was encircled with laurels gained in other fields.—There was nothing here to stimulate his ambition, the responsibility of the office did not weigh upon his mind; under all these circumstances he had failed and refused to attend and discharge the duties of his office, and it had thereby become vacant. He ought not to complain, it was the result of his own conduct. Mr. B. referred to a decision in one of the English Courts upon a mandamus, to restore an individual to an office under similar circumstances with this case, in which Lord Mansfield said, that an officer refusing to discharge the duties of his office ought to be removed at once, sooner than that the public interests should continue to suffer. The committee had dwelt upon the fact, that we had a written constitution, and must be confined to it. England had an unwritten constitution which was equally sacred and binding as ours, but, she had also an unwritten law, which was as obligatory here as there, having been recognised and adopted in our written constitution.

Mr. B. said that there were other points which he would like to discuss, but he would not extend his remarks further. He was satisfied that the Govern-

or had the power of removal, as well as the power to declare a vacancy, and that a proper subject for exercise of that power was presented in this case.

Mr. WALL desired to offer an explanation, and to define his position in relation to the Governor and the committee. He would say to the Senator from Breckinridge, that if an "unholy crusade" had been waged against the Governor, he had no agency in it. He was forced into his position on the committee, almost in spite of himself. His long acquaintance with the venerable functionary who occupied the Executive chair—the respect which he had always entertained for him as a statesman, a jurist, and a citizen, forbade that he should be supposed to have engaged in any war upon him. He regretted that he had been placed upon the committee—he felt that it would have been better that he should have been permitted to remain a looker on for the present. He regretted that his acts, so soon after he had the honor to occupy a seat in the Senate, should be subjected to the public scrutiny. But having been placed upon the committee, he had endeavored honestly to discharge his duty, and if any extraneous considerations could have influenced his opinion, it would have been his high partiality for the venerable functionary in the gubernatorial office. If he had any distrust of the correctness of that opinion, it was, that it was opposed to the judgment of one whose legal abilities he had ever respected so highly. He had a duty, however, to perform, and in this case he was influenced by a rule which always governed his conduct, and which was, that where duty pointed, to follow, regardless of every thing else. He had no agency in the preparation of the report of the committee, the credit of which was due alone to the Senator from Jefferson. He had concurred fully, however, in that report, and in doing so he had acted conscientiously, and discharged what he felt to be his duty, without entering into any combination with any one against the Governor or for any other purpose. He was now willing to go into a discussion of the principles contained in that report, and stood prepared to defend and maintain them, and he would have preferred doing so, lest from the fact, that there being a large majority of the Senate in favor of the report, it might render them obnoxious to the charge of unwillingness or inability to defend the position they had taken. As, however, the Senate seemed wearied with this subject, and anxious to dispose of it, he would yield his inclination. (Mr. Jame's remarks will appear to-morrow.)

### IN SENATE.

WEDNESDAY, FEBRUARY 17.

The Senate was opened with prayer by Rev. Mr. NORTON.

Mr. TAYLOR rose, and remarking that he was absent on yesterday when the vote was taken on the resolution reported by the committee on Executive Affairs, in relation to the Secretary of State, asked leave to record his vote; which being granted, he said, that not intending to concede to the Governor the power of removal, but believing he had the right to judge of the existence of a vacancy, he should vote *aye* on the substitute, and *no* on the resolution of the committee.

A bill to regulate the clerks' and trustees' fees for services rendered under the jury laws, (reported from committee on Finance,) came up in the unfinished business.

Upon ordering the bill to be engrossed and read a third time, the vote stood—yeas 24, nays 9.

The bill was then passed without a count.

Mr. JAMES, from same committee, reported a bill from H. R. for the benefit of the sheriff of Union county, with an amendment.

Mr. FOX offered an amendment for the benefit of the sheriff of Pulaski county.

The amendments were concurred in and bill passed.

Also—a bill from H. R. for the benefit of the sheriff of Owsley county.

Mr. JAMES said he was satisfied that all legislation of this kind was wrong, but so many bills of this character—giving further time to collect fee bills, &c., and return delinquent lists, had already been passed, that he should raise no objection to the passage of this bill.

The bill was passed.

Also—a bill from H. R. for the benefit of Christopher Lillard and others, sheriffs of Anderson county; passed.

Also—a bill from H. R. for the benefit of Martin Fugate, late sheriff of Pendleton county; passed.

Also—a bill from H. R. for the benefit of W. G. Simpson, H. Todd, and H. H. Calvert, late sheriffs of Owen county, and present sheriff of Owen county; passed.

Also—a bill for the benefit of John Green, former sheriff of Henderson county, and other purposes; passed.

Also—a bill for the benefit of the clerk of the Hickman county court; passed.

Also—a bill to amend an act to reduce into one, the several acts concerning strays; read first and second time.

Also—under instructions, a bill for the benefit of John B. Meredith, of Woodford county—authorizing him to peddle without license in Woodford and adjoining counties, including Owen county; read first and second time.

Mr. PEYTON, from committee on the Judiciary, reported a bill from H. R. to regulate the time of holding the circuit courts in the 2d and 7th judicial districts, and for other purposes, with an amendment.

The bill was advocated by Messrs. PEYTON, PATTERSON and JAMES, and opposed by Messrs. McNARY and BRADLEY.

The amendment was concurred in and bill ordered to a third reading.

Senate refused to dispense with third reading, and on motion of Mr. PEYTON, it was ordered to be read a third time on to-morrow morning at 10½ o'clock.

#### Orders of the day.

A joint resolution from the H. R., requesting the Governor to have two national salutes fired on the 22nd inst.; was concurred in.

A preamble and resolutions from H. R., complimentary to Gen. Taylor and the officers and soldiers under his command, (published in yesterday's proceedings.)

Mr. BUTLER offered some additional resolutions, complimentary of the Louisville Legion particularly, and the volunteer force generally.

Mr. FOX proposed to amend by a resolution, to present a sword to Maj. Gen'l. Taylor.

Mr. HARRIS proposed to amend by a resolution, to present a sword to Maj. Gen'l. W. O. Butler.

On motion of Mr. J. SPEED SMITH, the resolutions and amendments were referred to a select committee, composed of Messrs. J. Speed Smith, Harris and Helm.

Several bills from H. R. were read and referred to appropriate committees.

Mr. BRADLEY, from committee on Enrollments, reported sundry enrolled bills, which were signed by the Speaker.

A Senate bill for the benefit of Thos. Merinee and Prudence Shadburne, with an amendment from H. R.; amendment concurred in.

A Senate bill for the benefit of the Lexington, Harrodsburg and Perryville Turnpike Company—with amendments—amendments concurred in.

Mr. DRAFFIN obtained leave to bring in a bill to amend the law in relation to the town of Harrodsburg, and by consent reported the bill and it was passed.

On motion, the Senate adjourned.

## HOUSE OF REPRESENTATIVES.

Prayer by the Rev. Mr. SCOTT.

The reading of the journal having been dispensed with,

Mr. BOWMAN presented a petition which was referred.

### Reports from Standing Committees.

Mr. MITCHELL from the committee on the Penitentiary reported a bill authorizing the erection of a blacksmith shop and sewer in the yard of the Penitentiary &c.; ordered to be engrossed and read a third time.

On motion of Mr. HARRISON the vote re-committing the bill, providing for the paying to Grayson and Edmonson counties the amount due on the road leading from the mouth of Salt river to Bowling-green, was reconsidered.

The roll was called and twenty nine members found absent.

Mr. CROCKETT spoke in opposition to the bill when the previous question was ordered.

The question being then taken on the re-commitment, the vote stood; yeas 18, nays 57.

The question recurring on the final passage of the bill the vote stood; yeas 33, nays 44.

So the bill was rejected.

Mr. GLENN for the purpose of finally disposing of this question, moved a reconsideration of the vote just taken.

The roll of the House was called and twenty members found absent.

Mr. WILLIAMS moved to lay the motion to reconsider on the table. The vote stood; yeas 53, nays 24.

Mr. WORTHAM moved to reconsider the vote laying the former vote for reconsideration on the table. Having at last obtained the floor Mr. W. expressed his surprise that the unprecedented course should be here pursued, to cut off the father of a bill, by repeatedly ordering the previous question, from saying one word, or reading one authority in favor of his bill. He had been many years a member on this floor, but had never seen this course pursued before, nor did he believe it was tolerated in any legislative body anywhere.

Mr. W. then remarked upon the justice of his bill, reading the report of the Board of Internal Improvement in which the sun due these counties by the State was stated. He concluded by hoping that the State of Kentucky would not, by rejecting this measure, repudiate her just debts.

After some further remarks, Mr. WILLIAMS replied to the charge of an indirect repudiation. It was no repudiation. The State had suspended her system of Internal Improvements, which she once commenced. If individuals had engaged with the State in carrying on these works of improvement, they did it at their own risk as to the permanence of the system. There was no contract on the part of the State, and there was no repudiation.

The motion to reconsider was then lost.

Mr. McHENRY, from Select committee, to whom was referred the Senate resolution, fixing a day for the final adjournment, reported the same with an amendment, fixing the first day of March for the adjournment.

A motion to strike out the first day of March was then rejected.

After several ineffectual motions had been made to strike out and insert, the amendment of the committee was adopted—yeas 63, nays 25.

The resolution was then adopted.

A message was received from the Senate announcing the passage of sundry bills, &c.

Mr. MUMFORD, from the committee on Enrollments, reported sundry bills correctly enrolled, which thereupon, received the signature of the Speaker.

Mr. STEVENSON, from the committee on Internal Improvements, reported against the petition of James Ford and Thomas L. Stevens; concurred in.

Also—a bill for the benefit of Lewis Vemont.

Mr. STEVENSON stated that the committee reported the bill with some distrust, but considering the circumstances of the case, which he detailed, they had determined to report it. If the bill did not appeal to the justice, it did at least to the sympathies of the House.

Messrs. SALTER, WALLER and HANSON advocated the bill, and Messrs. WORTHAM, WILLIAMS and VERTRESS opposed it, when the bill was rejected.

Also—a bill to incorporate the Cumberland Navigation Company.

On motion of Mr. WILLIAMS, the bill was re-committed to a select committee with instructions to report to-morrow at ten o'clock.

Mr. WALLER, from committee on Education, reported a bill to remodel and establish permanently, the system of common schools; referred to the committee of the whole for Monday next, and ordered to be printed.

### Orders of the Day.

The committee of the whole was discharged from the consideration of a bill, to repeal an act further to protect the rights of married women, approved Feb. 23d 1846, with a substitute reported by the Judiciary Committee. A motion was made to lay the bill and substitute on the table. The vote stood as follows.

YEAS.—Mr. Speaker, Messrs. Alnut, Armstrong, Beeler, Board, Bowman, Boyd, Bush, Coleman, Covington, Desha, Devereux, Durbin, J. Elliott, M. Elliott, Fletcher, Gilbert, Glenn, Hall, Hanson, Harrison, Hay, Hord, Hoy, Ireland, W. L. Jones, Jordan, Mansfield, Marshall, Martin, Mays, McCallister, Mitchell, Munford, Phillips, Procter, Reed, Riddle, Salter, Soery, Spalding, Stevens, Stewart, Talbott, Tandy, Thomas, Thompson, Walker, Waller, Wheeler and Young—51.

NAYS.—Messrs. Abell, Bell, A. G. Bots, Bowman, Bradford, Clarke, Cobb, Crawford, Crockett, Dickerson, Evans, Foley, Graves, Hager, Hobbs, J. Irvine, J. R. Jones, McArthur, McHenry, Meriwether, Moore, Morton, Oglesby, Owens, Page, Pearl, Poor, Rouse, Smith, Vertress, Williams, and Wortham—32.

So the bill was laid on the table.

On motion the committee of the Whole was discharged from the consideration of a bill to amend the law of descents.

Mr. ARMSTRONG proposed an amendment, when the bill and amendment was laid on the table.

The committee of the whole were discharged from the consideration of a bill to amend the Execution laws.

Mr. DESHA remarked that in 1833 all laws were repealed on this subject, and a law passed exempting a certain amount of property from execution. In 1835 this law was repealed and the old principle of the exemption of specific articles was revived. Since that time the subject had been much agitated. The objection which he had to the principle of specific exemption was that the amount of exemption would often be exorbitant. There were many articles which are necessary to the comfort and convenience of a family which are not exempted by the present law.

Another objection to the present law is, that it exempts the tools of the mechanic, without leaving to him any other stock or property. Under the present bill, a family would be permitted to retain a home, though it might be a poor one.

Having briefly stated his reasons for advocating the bill, Mr. D. concluded.

Mr. VERTRESS opposed the bill. It would be seen by giving a little attention to the bill, that its operation would be partial. It was admitted that protection should be granted to the poor—if so, it should be extended to every class of the poor. According to this bill, the articles exempted to the farmer, amount to about \$286 at a fair valuation.—The mechanic, in order to save his tools, must give up all those articles. A law giving an exemption of a certain value of property would allow bona fide housekeepers to select those articles most necessary to their comfort. Any other law would act partially and would not accomplish its object.

Mr. V. closed by offering an amendment to the bill, exempting the property of a single man to the amount of \$100 &c.

Mr. McHENRY opposed the amendment.

Mr. EVANS offered a substitute for the bill and amendment.

The substitute having been read, Mr. E. remarked, that he was proud to be considered the advocate of the creditor class of the community. He was opposed to any laws which would encourage the debtor to contract debts which he could not pay. This subject of remedial legislation, had been carried to a great length for the last few years, until the rights of the other party were almost forgotten. All that the substitute was intended to effect, was that the debtor, when he claims the benefit of exemption on any article, shall make oath that he has no other property. It was now frequently the case, that the debtor would bargain off to his friends a portion of his property for the purpose of defrauding his creditors. He wished to do nothing which would oppress the debtor, but at the same time, he would respect the rights of the creditor.

Mr. MORTON moved to lay the bill and substitute on the table.

The yeas and nays being called, the vote stood—yeas 52, nays 33.

So the bills were laid on the table.

Messrs. BUSH and VERTRESS, on leave, presented petitions, which were referred to appropriate committees.

On motion, the committee of the whole was discharged from the consideration of a bill to amend the rules of chancery practice. The bill having been read, the House took a recess until 3 o'clock.

### From the Baltimore American.

THE COURT OF LILLIPUT.—The attempt of the Administration to dishonor Gen. TAYLOR, the man who has done more than all other men to save the Administration itself from the consequences of its own incompetency, has suggested some references in the National Intelligencer to the history of Lilliput as connected with that of the celebrated Capt. LEMUEL GULLIVER. For the victories on the Rio Grande, Gen. TAYLOR was honored and brevetted; the jealousy of party was not then aroused. For the three hard fought conflicts at Monterey, resulting in the capture of that place, Gen. TAYLOR has received no official acknowledgement whatever; he was becoming too great; the public favor was turned too strongly towards him; he was overshadowing certain important personages, whose stature would seem diminutive by the side of his, notwithstanding the devices of high heels boots and tall hat crowns.

In allusion to the reward of censure and condemnation which the Administration would prepare for Gen. TAYLOR in compensation for his gallant deeds, the National Intelligencer says:

In all history, one is at a loss to find a parallel for such a return of services as this. It is in fable only—now fabulous no longer—that one meets any thing equal. The Emperor of Lilliput and his diminutive courtiers and council are, in their exhibition of gratitude for the military services of Capt. GULLIVER, the only case ever seen at all approaching this present effort to dishonor, after having lately attempted to supersede General TAYLOR.

Our readers, who have not been so accustomed as we are to refer to the annals of Lilliput as constantly elucidating the manners, habits, and morals of politics and politicians, will allow us to suppose that they have not read, or have forgotten how, when Captain LEMUEL had lived some time among the mannikins, the Emperor of diminutives wanted help in a very foolish and wicked war that he had got into with another pigmian state. So he gave LEMUEL the commission of Generalissimo and sent him to lead an "Army of Occupation" into Blefuscu, the country of his enemy. We need hardly say what was the extent: Quinbusflestrin, (the man-mountain,) by a single masterly stroke, utterly discomfited Blefuscu, and reduced that republic to sue for a peace on any terms. Great was the joy through Lilliput; mightily did the puny monarch and his small grandees swell at the success of their invincible arms.

Quite civil were they, for a full week, to Quinbusflestrin; they actually brevetted him and gave him an additional ration. Presently, however, they bethought them of the natural enmity of low against high, of an inch against a foot; they reflected that the people might be struck with the advantages of possibly having a man six feet high to reign over them; and so they got up articles of attainder against him, alleging that he had not sufficient respect for the Emperor; that he ought, in the late battle, to have exterminated Blefuscu; that the services he had rendered made it clear he was dangerous to the Court; all which considered, these wise, brave, and grateful little statesmen voted, unanimously, that he Quinbusflestrin, was a public enemy; should be shot all over with poisoned arrows; should have his eyes put out, in order to revive his patriotism; and should finally be starved to death, as a warning to all future men of stature who might be foolishly disposed to render signal services to the country.

**INSURANCE.**  
THE LEXINGTON FIRE, LIFE AND MARINE INSURANCE COMPANY.  
CHARTERED IN 1836.  
CAPITAL—\$300,000!

WILL insure Buildings, Furniture, Merchandise, &c. against loss or damage by fire, in town or country. Steam and keel boats, and their cargoes, against the damages of river navigation.  
The lives of Slaves are also insured by this Company.  
R. H. CRITTENDEN, Agent.  
Office at Todd & Crittenden's Counting Room.  
September 8, 1846—726-1f

**INSURANCE.**  
KENTUCKY AND LOUISVILLE MUTUAL INSURANCE COMPANY.  
WILL insure Buildings, Furniture and Merchandise against loss or damage by fire, in Town or Country.  
R. H. CRITTENDEN, Agent.  
Office at Todd & Crittenden's Counting Room.  
May 27, 1846—659-b

**A Nurse Wanted.**  
I WISH to hire for the remainder of the year, a NEGRO GIRL, suitable for a NURSE.  
J. W. PRUETT.  
Frankfort, Feb. 10, 1847.

A Statement of the amount of revenue receivable by the Sheriffs, Clerks and Agents of each county during the year ending on, and including the 10th day of October, 1846; the amount of expenditures during the same time, and also the difference between the revenue and expenditure of each county; condensed from the Annual Report of Thos. S. Page, Second Auditor:

COUNTIES.	Revenue.	Expenditures.	Nett Revenue.
Anderson,	1,841 60	1,224 31	607 09
Allen,	1,964 32	1,253 20	709 12
Adair,	2,329 37	2,217 32	112 05
Bracken,	2,850 29	1,386 20	1,264 10
Boyle,	6,211 06	2,876 74	3,334 32
Ballit,	5,224 46	1,254 32	3,970 14
Barren,	5,537 33	2,318 45	3,218 88
Bourbon,	15,268 80	2,888 41	12,380 39
Breckinridge,	2,356 78	1,281 74	1,075 04
Boone,	5,289 30	2,676 10	2,613 20
Ballard,	1,320 60	1,012 24	308 36
Breathitt,	6,822 32	3,033 59	3,788 73
Bell,	4,632 29	1,246 20	3,386 09
Butler,	872 67	621 86	250 81
Campbell,	5,532 39	1,712 48	3,819 91
Calloway,	2,483 66	1,440 14	1,043 52
Christian,	8,211 60	4,221 33	4,090 27
Clarke,	1,567 29	526 16	1,041 13
Corrill,	9,243 58	2,860 94	6,382 64
Cass,	1,350 85	1,018 14	332 71
Cumberland,*	1,739 28	1,947 54	2,120 76
Carter,*	750 00	1,620 00	1,620 00
Crittenden,	665 73	788 12	1,253 85
Calloway,	1,076 63	1,473 63	437 00
Clay,*	867 54	4,600 18	3,732 64
Daviess,	4,738 19	1,548 58	3,200 91
Edmondson,*	701 35	742 81	41 46
Edmonson,*	1,231 67	1,018 33	213 34
Franklin,	6,991 65	2,563 26	4,428 39
Fayette,	27,232 56	5,682 91	21,549 65
Fulton,*	1,857 46	1,246 46	611 00
Fulton,*	101 40	67 84	33 56
Fleming,	5,477 28	2,320 82	3,156 46
Gallatin,	1,250 00	1,776 80	526 80
Graves,	2,081 75	1,754 71	327 04
Greenup,	2,083 34	1,122 37	960 97
Grant,	1,857 46	1,298 94	558 52
Grayson,	1,443 63	853 60	590 03
Garrard,	3,608 27	2,267 62	







